

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MALACHI SCURRY,

Defendant.

) INDICTMENT

JUDGE ADAMS

) CASE NO.

5:19 CR 137

Title 18, United States Code,  
Sections 111(a)(1), 922(g)(1),  
924(a)(2) and 924(c)(1)(A)(i)

COUNT 1

(Felon in Possession of a Firearm and Ammunition, 18 U.S.C. §§ 922(g)(1) and 924(a)(2))

The Grand Jury charges:

1. On or about January 29, 2019, in the Northern District of Ohio, Eastern Division, Defendant MALACHI SCURRY, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year, that being: Felonious Assault, in case number 2015-08-2407-B, in the Summit County, Ohio, Court of Common Pleas, on or about March 7, 2016, did knowingly possess in and affecting interstate and foreign commerce, a firearm, to wit:
  - a. Glock Model 23 .40 caliber semi-automatic pistol, bearing serial number SBG909;
  - b. American Tactical Imports Model Omni Maxx .223 caliber semi-automatic rifle, bearing serial number NS053502;
  - c. Smith and Wesson, Model 1006, 10mm caliber semi-automatic pistol, bearing serial number TEU7959;
  - d. I.M. Metal/HS Produkt, Springfield XD 9mm semi-automatic pistol, bearing serial number MG914281;

and ammunition, said firearms having been previously shipped and transported in interstate and foreign commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 2

(Assaulting, Resisting, or Impeding an Officer, 18 U.S.C. § 111(a)(1))

The Grand Jury further charges:

2. On or about January 29, 2019, in the Northern District of Ohio, Eastern Division, Defendant MALACHI SCURRY, knowingly and intentionally forcibly assaulted, resisted, opposed, impeded, and interfered with an individual designated in Title 18, United States Code, Section 1114, to wit: Akron Police Detective James Alexander, who was engaged in the performance of his official duties assisting an officer and employee of the United States while engaged in and on account of official duties as a federal law enforcement officer, said act involving physical contact with Akron Police Detective James Alexander, in violation of Title 18, United States Code, Section 111(a)(1).

COUNT 3

(Possession of a Firearm During and in Relation to a Crime of Violence,  
18 U.S.C. § 924(c)(1)(A)(i))

The Grand Jury further charges:

3. On or about January 29, 2019, in the Northern District of Ohio, Eastern Division, Defendant MALACHI SCURRY, did knowingly use and carry a firearm, specifically a Glock Model 23 .40 caliber semi-automatic pistol, bearing serial number SBG909, and ammunition, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, Assaulting, Resisting, or Impeding an Officer, charged in Count 2, in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

FORFEITURE

The Grand Jury further charges:

4. The allegations contained in Counts 1 and 3 of this Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein for the purpose of alleging forfeiture pursuant to the provisions of 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c). As a result of this offense, Defendant MALACHI SCURRY, the defendant herein, shall forfeit to the United States any and all firearms and ammunition involved in or used in the commission of the offense; including, but not limited to, the following:

- a. Glock Model 23 .40 caliber semi-automatic pistol, bearing serial number SBG909;
- b. American Tactical Imports Model Omni Maxx .223 caliber semi-automatic rifle, bearing serial number NS053502;
- c. Smith and Wesson, Model 1006, 10mm caliber semi-automatic pistol, bearing serial number TEU7959;
- d. I.M. Metal/HS Produkt, Springfield XD 9mm semi-automatic pistol, bearing serial number MG914281; and ammunition.

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.